

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION

FRANCISCO VALENCIA,

Plaintiff,

vs.

STATE OF MONTANA ET AL.,

Defendants.

CV-24-72-H-DLC

ORDER

The Court screened Plaintiff Francisco Valencia's Complaint and determined that it failed to state a federal claim for relief. (Doc. 6.) Valencia was given the opportunity to amend, and he sought and received an extension of time to do so. (Doc. 8.) Nonetheless, Valencia has failed to file an amended complaint.

Accordingly, it is HEREBY ORDERED:

1. Valencia's Complaint is DISMISSED for failure to state a claim. The Clerk of Court is directed to close the case and enter judgment pursuant to Fed. R. Civ. P. 58.
2. This dismissal counts as a strike against Valencia within the meaning of 28 U.S.C. § 1915.

3. The Court certifies that, pursuant to Rule 24(a)(3)(A) of the Federal Rules of Appellate Procedure, any appeal of this decision would not be taken in good faith.

DATED this 31st day of December, 2024.



Dana L. Christensen
District Judge
United States District Court